

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

VANTINE ALFONSO MARTIN,)	
)	
Petitioner,)	
)	
-vs-)	Case No. CIV-08-1328-F
)	
ERIC FRANKLIN, Warden,)	
)	
Respondent.)	

ORDER

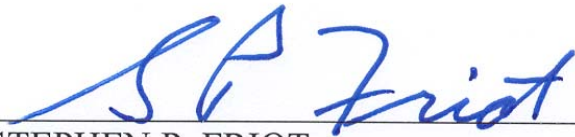
On March 6, 2009, United States Magistrate Judge Gary M. Purcell issued a Supplemental Report and Recommendation, wherein he recommended that petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed as time-barred. Magistrate Judge Purcell advised the parties of their right to file an objection to the Supplemental Report and Recommendation by March 26, 2009 and further advised that failure to timely object to the Supplemental Report and Recommendation would waive appellate review of the recommended ruling.

To date, neither party has filed an objection to the recommended ruling and neither party has requested an extension of time to file an objection. With no objection to the Supplemental Report and Recommendation being filed, the court accepts, adopts and affirms the Supplemental Report and Recommendation in its entirety.

Accordingly, the Supplemental Report and Recommendation issued by United States Magistrate Judge Gary M. Purcell issued March 6, 2009 (doc. no. 18) is **ACCEPTED, ADOPTED** and **AFFIRMED**. Petitioner's petition for a writ of

habeas corpus pursuant to 28 U.S.C. § 2254 is **DISMISSED** as time-barred under 28 U.S.C. § 2244(d)(1).

DATED April 9, 2009.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

08-1328p003(pub).wpd